

# EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Case No. 1:20-cv-03590-JEB

**JOINT MOTION FOR ENTRY OF STIPULATED ORDER**

Defendant Facebook, Inc. (“Facebook”) and Plaintiff Federal Trade Commission (“FTC”), by and through their undersigned counsel, hereby move this Court to enter the parties’ Stipulated Order. In support of their motion the parties state as follows:

1. Following their conference call with the Court on September 3, 2021, the parties conferred and have agreed that the FTC may file a Substitute Amended Complaint, *nunc pro tunc*, without impacting any deadlines currently set by the Court.

2. Facebook and the FTC agree that the FTC may include in its Substitute Amended Complaint certain language that it has identified to Facebook from the document bearing Bates numbers FB\_FTC\_CID\_02010030-035 (“Disclosed Language”), certain portions of which Facebook claims are privileged.

3. Facebook and the FTC agree that the inclusion of the Disclosed Language is for purposes of the Substitute Amended Complaint only and, except for permitting the FTC and the Court to view and rely upon the Disclosed Language, does not waive any privilege or protection applicable to the underlying document (or similar documents) in the litigation pending before the

Court or in any other federal, state, or other proceeding, nor does it waive the privilege as to information related to the same subject matter as the Disclosed Language. The FTC does not waive its right to dispute any assertion of privilege with respect to any part of the underlying document (or similar documents).

4. Facebook and the FTC agree that the FTC shall treat the Disclosed Language as confidential, and shall redact it from the version of the Substitute Amended Complaint filed on the public docket.

5. Facebook and the FTC agree the current September 7, 2021 deadline for parties and third parties to seek appropriate treatment of confidential information contained in the First Amended Complaint, ECF No. 76-1, need not be altered by the filing of the Substitute Amended Complaint. *See* August 30, 2021 Minute Order; *see also* ECF No. 77 (Joint Motion for Extension of Time). No third-party confidential information is implicated by the additional allegation contained in the Substitute Amended Complaint, and the current deadline of September 7, 2021 provides the parties with an adequate opportunity to seek appropriate confidential treatment of information contained in the Substitute Amended Complaint.

In light of the forgoing, the parties respectfully request that the Court enter the attached stipulated order.

Dated: September 7, 2021

Respectfully submitted,

/s/ Daniel J. Matheson

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